

Message Text

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14-11
ACTION EA-10

INFO OCT-01 ISO-00 CPR-01 SCA-01 OMB-01 CIAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 PM-03 H-02 INR-07 L-03 NSC-05

PA-01 PRS-01 SP-02 SS-15 SCS-03 /056 W
----- 043589

O R 140832Z JUN 75
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC IMMEDIATE 5687
INFO CINCPAC
DIRNSA WASHDC
DAJA WASHDC
SECDEF WASHDC
AMCONSUL UDORN

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E.O. 11652: NA
TAGS: MARR,TH
SUBJ: RAMASUN GATE CASE

REF: A. STATE 11652; B. BANGKOK 9451; C. BANGKOK 11146 (NOTAL)

SUMMARY: SINCE RECENT INITIATIVES TO RESOLVE RAMASUN CASE
HAVE NOT PRODUCED DESIRED RESULT, EMBASSY BELIEVES TIME HAS
COME TO INVOKE DIPLOMATIC IMMUNITY DESPITE RISKS. MINISTRY
OF FOREIGN AFFAIRS IS RELUCTANTLY SIDLING UP TO SAME
CONCLUSION. END SUMMARY.

1. WE HAVE FOLLOWED UP REPEATEDLY WITH DIRECTOR GENERAL
PRACHA AT MFA BUT HAVE NOT BEEN ABLE TO VERIFY THAT THERE
HAS BEEN ANY EFFECTIVE ACTION THROUGH THE CHATCHAI-POTE
CHANNEL TO MOVE UDORN POLICE TOWARD CLOSING THE CASE.

2. IN THE MEANTIME, A MEETING HAS BEEN HELD AT UDORN
INCLUDING THE GOVERNOR,PUBLIC PROSECUTOR, LOCAL POLICE
OFFICIALS, AND US OFFICIALS FROM THE CONSULATE AND RAMASUN
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STATION. AT THE MEETING, ALL AGREED UPON THE DESIRABILITY

OF A RAPID CONCLUSION, BUT NO USEFUL NEW IDEAS WERE SURFACED AS TO HOW TO ACHIEVE ONE. AT THE END OF THE MEETING, THE GOVERNOR ASKED THE US VICE CONSUL TO REQUEST THE EMBASSY TO HAVE THE MFA ISSUE TO THE UDORN POLICE CERTIFICATION OF THE DIPLOMATIC IMMUNITY STATUS OF THE FOUR AMERICANS.

3. THE DEPARTMENT WILL RECALL THAT DIPLOMATIC IMMUNITY, AND THE ASSERTION THAT IT DEROGATED FROM THAI SOVEREIGNTY, WAS AT THE HEART OF THE PUBLIC OUTCRY AT THE TIME THE INCIDENT OCCURRED, AND THAT WE REFRAINED FROM ASSERTING DI IN COURT. NEVERTHELESS, GIVEN THE LENGTH OF TIME THE CASE HAS DRAGGED ON AND THE DESIRABILITY OF ENABLING THE FOUR SOLDIERS TO LEAVE THE COUNTRY, WE CONCLUDED THAT EVEN AT THE RISK OF REAWAKENING THIS SENSITIVE ISSUE, WE WOULD APPROACH THE MFA AS SUGGESTED BY THE GOVERNOR.

4. MFA PROVED VERY SHY ON THE DI QUESTION. LIKE ALL OTHER THAI AGENCIES INVOLVED IN THE CASE, MFA IS UNWILLING TO TAKE THE ONUS FOR THE NON-EXERCISE TO THAI JURISDICTION. WE SUGGESTED TO MFA THAT IN VIEW OF ITS WIDELY HERALDED REVIEW OF TREATIES AND AGREEMENTS WITH THE U.S., IT COULD COUCH ITS CERTIFICATION OF DI IN THAT CONTEXT, ANSWERING ANY CRITICISM BY POINTING OUT THAT AN AGREEMENT ACCORDING DI TO THE FOUR DID EXIST, THAT IT WAS BEING REVIEWED AS PART OF THE OVERALL REVIEW, AND THAT THE RTG COULD SEEK ITS REVISION IF THIS WERE FOUND TO BE IN THAILAND'S INTEREST.

5. MFA ADVISED US THAT THERE WOULD BE A PARLIAMENTARY INTERPELLATION ON THE RAMASUN CASE ON JUNE 26. IT SAID IT WOULD PROPOSE THAT THE GOVERNMENT ANSWER THE PARLIAMENTARY QUESTION IN THE MANNER THE EMBASSY HAD SUGGESTED. THIS WOULD THEN PROVIDE THE BASIS FOR CONCLUDING THE POLICE CASE IN UDORN.

6. THE EMBASSY SHARES THE FRUSTRATION OF THE FOUR MEN AND THEIR FAMILIES OVER THE DIFFICULTY BEING EXPERIENCED IN CLOSING THIS CASE SO THAT THE FOUR MAY LEAVE THAILAND. WE HOPE ALL CONCERNED WILL CONTINUE TO BE PATIENT WHILE WE SEE WHETHER THIS LATEST PROPOSED SOLUTION WORKS OUT.

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7. AS REPORTED REF C., THE "NEW YORK POST" HAS RUN A STORY ON ONE OF THE MEN, SGT. WAYNE COOPER. WE UNDERSTAND THE ARTICLE QUOTES SGT. COOPER'S MOTHER AS COMPLAINING THAT HE IS BEING HELD IN "PROTECTIVE CUSTODY". IN RESPONDING TO PRESS QUERY ARISING FROM THE "POST" STORY JUNE 13, WE CONFIRMED THAT COOPER HAD BEEN INVOLVED IN THE RAMASUN INCIDENT, AND SAID THAT HE WAS AT HIS REGULAR

STATION, WAS NOT UNDER ARREST OR CONFINED, AND WAS REMAIN-
ING IN THAILAND SINCE HIS CASE WAS STILL UNDER INVESTI-
GATION, BY THE THAI POLICE.

8. THE DEPARTMENT IS REQUESTED TO INFORM CONGRESSMAN
WAGGONER OF SUBSTANCE OF ABOVE REPORT. WE APPRECIATE
HIS METHOD OF DEALING WITH THIS CASE UP TO NOW AND ASK
HIS CONTINUED COOPERATION IN THE INTEREST OF ALL CONCERNED.
SGT COOPER (PARA 7, ABOVE) IS NOT RPT NOT HIS CONSTITUENT.
WHITEHOUSE

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Message Attributes

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Draft Date: 14 JUN 1975
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TAGS: MARR, TH, (COOPER, WAYNE)
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